

Hon. Fred Van Sickle

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
AT RICHLAND

James S. Gordon, Jr.

Plaintiff,

V.

Impulse Marketing Group, Inc.,
Jeffrey Goldstein, Phillip Huston,
and Kenneth Adamson,

Defendants.

Case No.: CV-04-5125-FVS

**DEFENDANTS' MOTION TO
DISMISS THE AMENDED FIRST
AMENDED COMPLAINT AND TO
STRIKE PLAINTIFF'S MORE
DEFINITE STATEMENT**

Impulse Marketing Group, Inc.,

Third-Party Plaintiff,

V.

Bonnie F. Gordon, Jamila Gordon,
James Gordon, III, and Jonathan
Gordon.

Third-Party Defendants.

Defendants Impulse Marketing Group, Inc. (“Impulse”), Jeffrey Goldstein (“Goldstein”), Phillip Huston (“Huston”) and Kenneth Adamson (collectively,

DEFENDANTS' MOTION TO DISMISS THE AMENDED FIRST
AMENDED COMPLAINT AND TO STRIKE THE MORE
DEFINITE STATEMENT - 1
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KLEIN ZELMAN ROTHERMEL LLP
485 MADISON AVENUE, 15TH FLOOR
NEW YORK, NEW YORK 10022
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1 "Defendants") now move for dismissal of the Amended First Amended Complaint
2 with prejudice pursuant to Fed. R. Civ. P. 12(b)(1), (2), (6) and 12(e) and 41(b) and to
3 strike the More Definite Statement pursuant to Fed. R. Civ. P. 12(f). This motion is
4 based upon the Declarations of Sean A. Moynihan, Esq. in Support of Defendants'
5 Motion to Dismiss Plaintiff's Amended First Amended Complaint and to Strike the
6 More Definite Statement and the Memorandum of Law in Support of Defendants'
7 Motion to Dismiss Plaintiff's Amended First Amended Complaint and to Strike the
8 More Definite Statement.

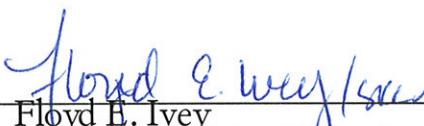
9 DATED this 28th day of June, 2007.

10 KLEIN ZELMAN ROTHERMEL LLP

11 By: 

12 Sean A. Moynihan, admitted *pro hac vice*
13 Stacy K. Wolery, admitted *pro hac vice*
14 Attorneys for Defendants Impulse Marketing
15 Group, Inc., Jeffrey Goldstein, Kenneth
Adamson and Phillip Huston

16 LIEBLER, CONNOR, IVEY, BERRY
17 & ST. HILAIRE

18 By: 

19 Floyd E. Ivey
20 Local Counsel for Defendants Impulse
Marketing Group, Inc., Jeffrey Goldstein,
21 Kenneth Adamson and Phillip Huston

Certificate of Service

I, hereby, certify that on June 27, 2007, I electronically filed this pleading with this Court. The Clerk of the Court will provide electronic notification using the CM/ECF system, which will send an electronic copy of the Motion to Dismiss the Amended First Amended Complaint and to Strike the More Definite Statement to: Robert J. Siegel, Floyd E. Ivey and Sean A. Moynihan. I hereby certify that I have served the forgoing to the following non-CM/ECF participants by other means:

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Hon. Harold D. Clarke, Jr.
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Marketing Group, Inc., Jeffrey Goldstein,
Phillip Huston and Kenneth Adamson

DEFENDANTS' MOTION TO DISMISS THE AMENDED FIRST
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DEFINITE STATEMENT - 3
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